



UTAH STATE SENATE

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February 8, 2001

Mr. President:

The Education Committee reports a favorable recommendation on **S.B. 169**, CHARTER SCHOOL AMENDMENTS, by Senator H. Stephenson, with the following amendments:

1. Page 1, Line 8: After "**increase of**" insert "**up to**"
2. Page 1, Line 17: After line 17 insert:
"**53A-1a-505**, as enacted by Chapter 231, Laws of Utah 1998
3. Page 1, Line 17: After line 17 insert:
"**53A-1a-506**, as enacted by Chapter 231, Laws of Utah 1998"
4. Page 2, Line 29: After "by" insert "up to"
5. Page 2, Line 30: After line 30 insert:
"(c) (i) The additional charter schools authorized under Subsections (1)(a) and (b) may be established only after an applicant:
(A) has sought and been denied sponsorship by a local school board under Section 53A-1a-515; and
(B) subsequently seeks and is granted sponsorship by the State Board of Education under Section 53A-1a-505.
(ii) (A) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the State Board of Education shall make a rule providing a timeline that would allow an applicant denied sponsorship by a local school board to apply for and receive sponsorship approval by the State Board of Education and begin operating in the same school year as anticipated in its original application to the local school board.
(B) The timeline shall be consistent with the application and approval process set out in Section 53A-1a-515."

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6. Page 2, Line 33:

After line 33 insert:

"Section 2. Section **53A-1a-505** is amended to read:

53A-1a-505. Sponsors of charter schools -- Application process.

(1) An applicant for a charter school shall seek sponsorship of its charter from the State Board of Education, except that an existing public school seeking to convert to a charter school must be sponsored by a local school board as provided in Section 53A-1a-515.

(2) (a) (i) The applicant shall also provide a copy of the application to the local school board of the school district in which the proposed charter school shall be located either before or at the same time it files its application with the state board.

(ii) The local board shall review the application and may offer suggestions or recommendations to the applicant or the state board prior to its acting on the application.

(iii) The state board shall give due consideration to suggestions or recommendations made by the local school board under Subsection (2)(a)(ii).

(b) The State Board of Education shall review and, by majority vote, either approve or deny the application within 60 days after the application is received by the board.

(c) The state board's action under Subsection (2)(b) is final action subject to judicial review.

(3) (a) The applicant and the state board shall set forth the terms and conditions for the operation of the charter school in a written contractual agreement.

(b) The contract is the school's charter.

(4) The State Office of Education and the school district in which the school is to be located may provide technical assistance to an applicant upon written request."

Renumber remaining sections accordingly.

7. Page 2, Line 33:

After line 33 insert:

"Section 2. Section **53A-1-506** is amended to read:

53A-1a-506. Eligible students.

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- (1) All resident students of the state qualify for admission to a charter school, subject to the limitations set forth in this section.
- (2) (a) A charter school shall enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or the school.
- (b) (i) If the number of applications exceeds the capacity of a program, class, grade level, or the school, then students shall be selected on a random basis except that the school may give preference to a student of a parent who has actively participated in the development of the school and to siblings of students presently enrolled in the school [~~not to exceed 20% of the student population for preferential selection~~].
- (ii) The school may give preference to students who reside within the school district in which the school is located.
- (c) When a public school converts to charter status, the school shall give enrollment preference to students who would have otherwise attended it as a regular public school.
- (3) A charter school may not discriminate in its admission policies or practices on the same basis as other public schools may not discriminate in their admission policies and practices."

Renumber remaining sections accordingly.

8. Page 2, Line 39:

After "charter" insert ", except that an existing public school converting to charter status shall sign its charter with the sponsoring local school board under Section 53A-1a-515"

Respectfully,

Bill Wright
Committee Chair

Voting: 8-0-2

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